

ATTORNEY'S DOCKET NUMBER
126440

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
New U.S. National Stage of PCT/EP2004/051519

INTERNATIONAL APPLICATION NO.
PCT/EP2004/051519

INTERNATIONAL FILING DATE
July 16, 2004

PRIORITY DATE CLAIMED
July 16, 2003

TITLE OF INVENTION
HEAT-CURABLE COMPOSITIONS COMPRISING LOW-TEMPERATURE IMPACT STRENGTH MODIFIERS

APPLICANTS FOR DO/EO/US
Andreas KRAMER; Jurgen FINTER; Ulrich GERBER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 - c. ☐ The International Application was filed in English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: a copy of the International Search Report is attached to the International Publication.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) New U.S. National Stage of PCT/EP2004/051519		INTERNATIONAL APPLICATION NO. PCT/EP2004/051519		ATTORNEY'S DOCKET NUMBER 126440			
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)): \$ 300.00				\$ 300.00			
SEARCH FEE (37 CFR 1.492(b)(1)-(3)): International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00 International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA..... \$ 100.00 International search report provided to USPTO no later than the time at which the search fee is paid \$ 400.00 All situations not provided for above..... \$ 500.00				\$ 400.00			
EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)): International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage \$ 0.00 All situations not provided for above..... \$ 200.00				\$ 200.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
TOTAL PAGES OF APPLICATION OVER 100 (48 - 100)		0 ÷ 50	= 10	x 250 =	\$		
†round up to next integer							
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	\$		
TOTAL CLAIMS		31 - 20	= 11	x 50.00 =	\$550.00		
INDEPENDENT CLAIMS		2 - 3	= 0	x 200.00 =	\$		
MULTIPLE DEPENDENT CLAIM(S)(if applicable)				+ 360.00 =	\$		
TOTAL OF ABOVE CALCULATIONS =					\$1450.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.					\$		
SUBTOTAL =					\$1450.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$		
TOTAL NATIONAL FEE =					\$1450.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					\$		
TOTAL FEES ENCLOSED =					\$1450.00		
					Amount to be refunded:	\$	
					charged:	\$	
a. <input checked="" type="checkbox"/> Check No. <u>175292</u> in the amount of <u>\$1450.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944							
Date <u>January 17, 2006</u>				NAME: <u>James A. Oliff</u> REGISTRATION NUMBER: <u>27,075</u> NAME: <u>Joel S. Armstrong</u> REGISTRATION NUMBER: <u>36,430</u>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Andreas KRAMER et al.

ATTN: Mail Stop PCT

Application No.: 10/564,889

Docket No.: 126440

Filed: January 17, 2006

For: HEAT-CURABLE COMPOSITIONS COMPRISING LOW-TEMPERATURE
IMPACT STRENGTH MODIFIERS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) ENGLISH TRANSLATION ALREADY FILED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

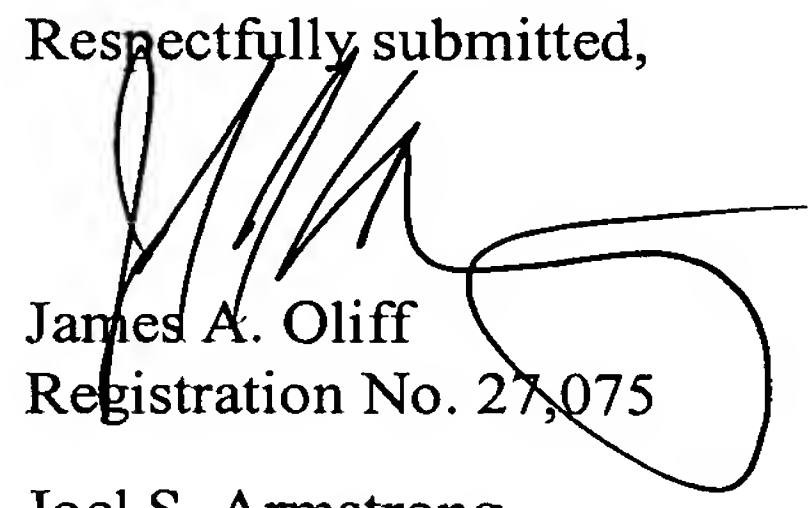
Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on April 4, 2006, the translation of the application into English was filed on January 17, 2006. A copy of the translation of the application into English as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. A copy of the translation of the application into English is also scanned into the Image File Wrapper in Private PAIR as "Specification." Because the translation of the application into English was filed no later than 30 months from the priority date (37 CFR 1.492(h)), a surcharge is not required.

Entry of these documents on January 17, 2006 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA/nxy

Date: May 24, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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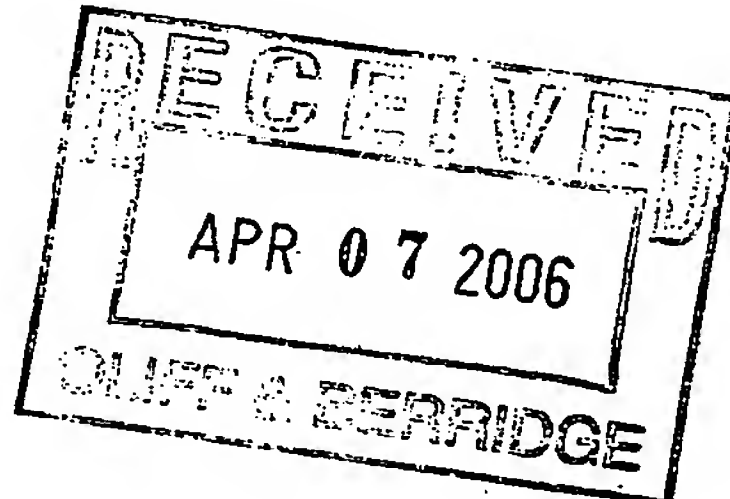


UNITED STATES PATENT AND TRADEMARK OFFICE

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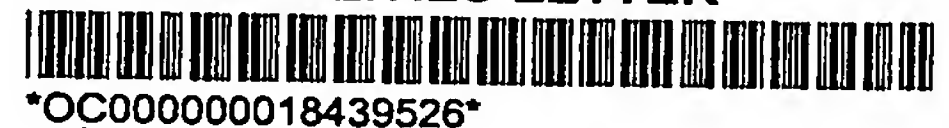
U.S. APPLICATION NUMBER NO. 10/564,889	FIRST NAMED APPLICANT Andreas Kramer	ATTY. DOCKET NO. 126440
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25944
OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320



INTERNATIONAL APPLICATION NO. PCT/EP04/51519	
LA. FILING DATE 07/16/2004	PRIORITY DATE 07/16/2003

CONFIRMATION NO. 2244
371 FORMALITIES LETTER



OC000000018439526

Date Mailed: 04/04/2006

MISSING PARTS

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/17/2006
- Copy of the International Search Report filed on 01/17/2006
- Preliminary Amendments filed on 01/17/2006
- Information Disclosure Statements filed on 01/17/2006
- Oath or Declaration filed on 01/17/2006
- Request for Immediate Examination filed on 01/17/2006
- U.S. Basic National Fees filed on 01/17/2006
- Priority Documents filed on 01/17/2006

DUE DATE

JUN 04 2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above.

DOCKETED

A copy of this notice **MUST** be returned with the response.

By FWP on 4/7 2006
and
By JML on 4/7 2006
Oliff & Berridge

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,889	PCT/EP04/51519	126440

FORM PCT/DO/EO/905 (371 Formalities Notice)

PTO RECEIPT FOR FILING OF PAPERS

The following papers have been filed:

chk#175292 (\$1450); PCT Trans; prelim amend; trans. PCT Request; 38pp English trans.
Int. App. (PCT/EP2004/051519)/31 Clms/Abst; DE PCT Request; DE Int. Pub. (WO
2005/007720 A1); IDS; 1449; ISR; 7 refs.

Name of Applicant: Andreas KRAMER; Jurgen FINTER; Ulrich GERBER

Serial No.: New U.S. Patent Application

Atty. File No.: 126440

Title (New Cases): HEAT-CURABLE COMPOSITIONS COMPRISING LOW-
TEMPERATURE IMPACT STRENGTH MODIFIERS

Sender's Initials: JAO/nxy

NEW APPLICATION

05 / 24

PATENT OFFICE DATE STAMP



58

**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**